

Appl. No. 10/709,548
Amdt. dated September 20, 2005
Reply to Office action of July 01, 2005

REMARKS

1. Rejection of claim 4 under 35 U.S.C. 112, second paragraph:

- 5 In claim 4, the phrase "an engagement unit" has been amended to "the engagement unit."
The rest of the claims have also been reviewed for similar inconsistencies.

Withdrawal of this rejection is respectfully requested.

- 10 **2. Rejection of claims 1-2, 5, 8-12 under 35 U.S.C. 102(e) as being anticipated by
Schultz et al. (US 2005/0109180) "Schultz":**

Claim 1 is amended to include all limitations of dependent claim 2. Accordingly, claim 2
is cancelled. No new matter is entered by this amendment.

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Claims 3 and 4 are amended for proper dependency. Claims 5-7 are cancelled since they
apply to the other embodiment.

- 20 New claims 13-15 are introduced and directly correspond to cancelled claims 5-7. No
new matter is entered.

- 25 The applicant argues that Schultz does not teach all limitations of original claims 2 and 5.
In Figs. 4-6 Schultz does teach a maintaining structure 134, however, this is taught as an
upper-level concept only. Schultz is not specific about the details of the maintaining
structure 134. As such, it appears that Schultz has not adequately considered how to
properly prevent the blade carrier 48 from rotating when a blade is applied to cut a
medium. This is a substantial shortcoming of Schultz's teachings.

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In contrast, claim 1 (originally claim 2) now recites a fixer comprising:

- a first unit fixed on the carriage; and
- a second unit, wherein one end of the second unit is connected with the first unit and the other end of the second unit is for engaging with an engagement unit of the engagement device in order to fix the positions of the engagement device and the plurality of trimming elements.

Schultz does not teach or suggest an "other end of the second unit is for engaging with an engagement unit of the engagement device," for instance, as now recited in claim 1. That is, Schultz does not teach or suggest an end that engages one of a plurality of engagement units, which can be concavities (claim 3). Accordingly, claim 1 includes limitations not taught or suggested by Schultz and so is not anticipated by Schultz.

Claim 13 (originally claim 5) now recites a fixer comprising:

- a plurality of fixing units for engaging with the plurality of engagement units in order to fix the positions of the engagement device and the plurality of trimming elements when the plurality of fixing units are engaged with the plurality of engagement units, and in order to enable the engagement device to rotate opposite to the fixer when the plurality of fixing units are disengaged from the plurality of engagement units.

Schultz does not teach or suggest a plurality of fixing units nor a plurality of engagement units. Schultz also does not suggest how a plurality of maintaining structures 134 would be obvious given the single maintaining structure 134. Accordingly, claim 13 includes limitations not taught or suggested by Schultz and so is not anticipated by Schultz.

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Regarding obviousness in view of Franks, Franks does not teach or suggest a similar cutting blade arrangement. Franks' individual cutting blades 12a, 12b (Fig.1) are not selectable to be interchangeable with each other. Thus, there is no teaching in Franks that is comparable to the claimed fixer (aside from the screws 106 shown in Fig.3). The
5 concavities 96a of Franks are used to hold a blade 12a, 12b in a fixed position for cutting. In contrast, the blades of the invention are meant to rotate, and the concavities (engagement units) of the claimed invention are used to hold the set of blades (and a selected blade) in the proper position. Therefore, the applicant asserts that the claimed invention is not obvious in view of Franks when considered in its entirety.

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In conclusion, the applicant contends that Schultz does not adequately teach the maintaining structure 134, and thus has not properly considered how to fix the blade carrier 48. Schultz's description of the maintaining structures 134 seems to suggest that Schultz made little attempt to solve the problem of fixing the blade carrier 48. The
15 applicant's invention, on the other hand, solves this problem with two embodiments that are thoroughly detailed in the amended claims and original disclosure. In contrast to Schultz, the applicant's invention as recited in the claims is clearly capable of preventing the blade carrier 48 from rotating during operation, and thereby teaches a safer device.

20 The applicant respectfully requests that this rejection be withdrawn according to the arguments above. Claims 8-12 and 14-15 are dependent and should be allowed if claims 1 and 13 are found allowable.

3. Rejection of claims 3, 6, 7 under 35 U.S.C. 103(a) as being unpatentable over
25 Schultz in view of Franks et al. (US 5,927,175):

As mentioned above, Franks does not teach or suggest a cutting blade arrangement similar to the claimed arrangement. The concavities 96a of Franks are used to hold a

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blade 12a, 12b in a rotationally fixed orientation for cutting. They are not used to "fix the positions of the engagement device and the plurality of trimming elements" as recited in claim 1. At best, Franks' concavities 96a are used to fix a single cutting blade, however, this is in a substantially different way. Thus, there is no teaching in Franks that is
5 comparable to the claimed fixer (aside from the screws 106 shown in Fig.3). Regarding Schultz, the maintaining structure 134 is not adequately taught as already mentioned. Therefore, the applicant asserts that there is no suggestion in Franks or Schultz to make the combination.

10 In addition, the Examiner's statement of motivation ignores the fact the Schultz and Franks desire to have their respective blades fixed in entirely different manners. Schultz aims to fix a set of blades so that one rotatable blade can be used for cutting, Franks aims to fix a single blade so that it cannot rotate. Thus, the applicant argues that one of ordinary skill in the art would not be motivated to make this combination.


15 Claims 3, 6, 7 are not obvious in view of Shultz and Franks when each art is considered as a whole.

The applicant respectfully requests that this rejection be withdrawn according to the
20 arguments made above. Claims 3 and 14-15 are dependent and should be allowed if claims 1 and 13 are found allowable.

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Sincerely yours,



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